

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY, OCTOBER 13, 2004  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: DINO F. BUCCI, JR.  
JANET DUNN  
ROGER KRZEMINSKI  
CHARLES OLIVER

ABSENT: None

Also in attendance: Jack Dailey, Community Planning Consultant  
Larry Dloski, Township Attorney  
James Van Tiflin, Township Engineer of Spalding DeDecker  
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m. BRENNAN welcomed Roger Krzeminski, the newly appointed Trustee on The Township Board.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS called the roll call. All Members present.

2. Approval of Agenda Items (with any corrections)

**MOTION by MALBURG seconded by BUCCI to approve the agenda as amended.**

**MOTION carried.**

3. Approval of Bills

**MOTION by DUNN seconded by OLIVER to approve both Bill runs as submitted.**

**MOTION carried.**

4. Approval of the September 22, 2004 previous meeting minutes

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**MOTION by OLIVER seconded by MALBURG to approve the September 22, 2004 previous Meeting Minutes as submitted.**

**MOTION carried.**

5. CONSENT AGENDA ITEMS:

5A. Clerks Department:

1. Request to Approve the Model Bond Release; Emerald Green Subdivision, Lot 64. Permanent Parcel No. 08-05-253-004
2. Request to Approve the Site Plan Bond Release; Wiegand's Nursery. Permanent Parcel No. 08-29-426-017
3. Request to Approve Partial Site Plan Bond Release; Mobil Gas Station. Permanent Parcel No. 08-34-300-024
4. Request to Approve Site Plan Bond Release; Immanuel Lutheran Church Balcony and Parking Lot Expansion. Permanent Parcel No. 08-28-351-010

*Addition:*

5. Request to Approve Model Permit; Middlecreek Estates Subdivision; Lot 34. Section 21.

5B. Water & Sewer Department:

1. Easement Encroachment Agreement; Micheal W. & Kirsten R. Maslowsky, 21444 Florence, Macomb, MI 48044, Lot 196; Edinburgh Estates Subdivision. Permanent Parcel No. 08-22-254-011

**MOTION by BUCCI seconded by MALBURG to approve the consent agenda items as submitted.**

**MOTION carried.**

6. Public Comments (Non Agenda items only - 3 minute time limit)

Jim Koss, Information Technology Department Director, commended the Board for their year ago decision of hiring him as IT Director. Vicki Selva, 55555 Broughton Road, Township resident, thanked the Board for helping out with the Road Commission of Macomb County regarding Broughton Road improvements. Mrs. Selva also discussed with Supervisor BRENNAN the procedures regarding reducing speed limits for Broughton Road.

**PUBLIC HEARING:**

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7. Purchase of land on Patnick Street; Located west of North Avenue and South of 21 Mile Road. Macomb Township, Petitioner.

Supervisor BRENNAN reviewed the Township has been working with FEMA on the matter. Further the Township was under the belief that FEMA required a public hearing on the matter. However FEMA is not requiring the Township to hold a public hearing. The newspaper articles pertaining to the matter will suffice for the public notice.

This item was deleted from the agenda.

**PLANNING COMMISSION:**

8. Rezoning Request; Commercial Shopping Center (C-3) to Residential Multiple Medium Density (R-2); Located on the southwest corner of 21 Mile Road and Card Road (excluding the immediate corner). Vittiglio Realty, Petitioner. Permanent Parcel No. 08-34-200-014.

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Thomas Vittiglio, 48111 Ryan Road, Shelby Township, Michigan

Trustee DUNN discussed with Mr. Dailey, Community Planning Consultant, the approximate dimensions of immediate parcel of land excluded but surrounded by the current rezoning request.

Public Portion: Wallace Perry, 21608 Sunset Drive, Macomb Township resident, stated, "I'm not opposed to the rezoning proposal but I will have questions once a site plan is submitted."

**MOTION by DUNN seconded by BUCCI to approve rezoning the property from Commercial Shopping Center (C-3) to Residential Multiple Medium Density (R-2); Permanent Parcel No. 08-34-200-014.**

**MOTION carried.**

9. Rezoning Request; Agricultural (AG) to Commercial Shopping Center (C-3); Located on the north side of 22 Mile Road on the east and west sides of Heydenreich Road. O'Reilly Rancilio PC, Petitioner. Permanent Parcel No. 08-21-400-012.

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for denial.

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Petitioner Present: Not present. Supervisor BRENNAN reviewed that he was contacted by Mr. Larry Scott, the petitioner's attorney, earlier in the day to inform him of his absence for this meeting.

Public Portion: None

**MOTION by OLIVER seconded by KOEHS to deny rezoning the property from Agricultural (AG) to Commercial Shopping Center (C-3); Permanent Parcel No. 08-21-400-012.**

**MOTION carried.**

10. Rezoning Request; Agricultural (AG) to Commercial Local (C1); Located on the north side of 22 Mile Road approximately 202 feet east of the centerline of future Heydenreich Road. O'Reilly Rancilio PC, Petitioner. Permanent Parcel No. 08-22-300-008.

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Not present. Supervisor BRENNAN reviewed that he was contacted by Mr. Larry Scott, the petitioner's attorney, earlier in the day to inform him of his absence for this meeting.

Public Portion: None

**MOTION by KOEHS seconded by MALBURG to follow the Planning Commission's recommendation and deny rezoning the property from Agricultural (AG) to Commercial Local (C1); Permanent Parcel No. 08-22-300-008.**

**MOTION carried.**

11. Approve the Use of the Temporary Sales Trailer; The Retreat Condominiums; Located on the northeast corner of North Avenue and 22 Mile Road. Lombardo North Ave. Properties, Petitioner. Permanent Parcel No. 08-24-300-013

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Greg Windingland, 6303 26 Mile Road, Washington Township, Michigan.

Public Portion: None

**MOTION by KRZEMINSKI seconded by DUNN to approve the use of the temporary sales trailer for one year for The Retreat Condominiums;**

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**Permanent Parcel No. 08-24-300-013**

**MOTION carried.**

12. Final Preliminary Plat; Gateway Village Estates Subdivision; Located on the east side of Hayes Road, ¼ mile north of 24 Mile Road. Sal-Mar Gateway Village Estates, Petitioner. Permanent Parcel No. 08-07-300-014

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Thomas Treppa, 101 West Big Beaver, Troy, Michigan

Public Portion: None

**MOTION by DUNN seconded by OLIVER to follow the Planning Commission's recommendation to approve the Final Preliminary Plat; Gateway Village Estates Subdivision; Permanent Parcel No. 08-07-300-014.**

**MOTION carried.**

13. Final Review; Suburban Ice of Macomb; Located on the west side of Broughton Road approximately 300' south of 25 Mile Road. Tom Anastos, Petitioner. Permanent Parcel No. 08-09-200-003

Jack Dailey, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner: Not present

Public Portion: None

**MOTION by KOEHS seconded by MALBURG to approve the Final Review; Suburban Ice of Macomb; Permanent Parcel No. 08-09-200-003.**

**MOTION carried.**

**OLD BUSINESS:**

14. Request Approval of Bid Award; Crittenden Drain Clean-Out; Located on the south side of 22 Mile Road between Brentwood Farms and Cross Creek Subdivisions. Section 29

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James Van Tiflin, Township Engineer, reviewed the item and recommended the lower bidder, Giannetti Contracting Corporation.

Public Portion: None

**MOTION by OLIVER seconded by BUCCI to Award the Bid to Giannetti Contracting Corporation for the total cost of Forty Thousand Dollars and 00/100 (\$40,000.00) to perform the work for the Crittenden Drain Clean-out; Located on the south side of 22 Mile Road between Brentwood Farms and Cross Creek Subdivisions. Section 29**

**MOTION carried.**

*Addition:*

14a. Request Approval of Bid Award; Lakeside Landings Subdivision; Located 250' west of Garfield Road and north of Eastview Drive. Section 31.

James Van Tiflin, Township Engineer, reviewed the request and recommended Jade Lawn & Landscaping.

Public Portion: None

**MOTION by OLIVER seconded by DUNN to Award the Bid to Jade Lawn & Landscaping for the total cost of Thirteen Thousand Six Hundred Twenty Two Dollars and 00/100 (\$13,622.00) to perform the work for completion of the Landscape for Landings Subdivision. Section 31**

**MOTION carried.**

**NEW BUSINESS:**

15. Adopt International Property Maintenance Code (IPMC)

Supervisor BRENNAN and Larry Dloski, Township Attorney, reviewed the item.

Public Portion: None

**MOTION by DUNN seconded by KRZEMINSKI to adopt the International Property Maintenance Code (IPMC) as follows:**

**FOR THIS MOTION: DUNN, KRZEMINSKI, BUCCI, OLIVER, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE**

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**ABSENT: NONE**

**TOWNSHIP OF MACOMB  
MACOMB COUNTY, MICHIGAN  
ORDINANCE NO. 224  
ADOPTING BY REFERENCE THE  
INTERNATIONAL PROPERTY MAINTENANCE CODE**

**An ordinance of the Township of Macomb adopting the 2003 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Township of Macomb, providing for the issuance of permits and collection of fees therefor.**

**The Board of Trustees of the Township of Macomb does ordain as follows:**

**Section 1. That a certain document, three (3) copies of which are on file in the office of the Township Clerk of the Township of Macomb being marked and designated as the International Property Maintenance Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Macomb, in the State of Michigan, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Township of Macomb are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.**

**Section 2. The following sections of the International Property Maintenance Code are hereby revised:**

**Section 101.1. Insert, The Township of Macomb**

**Section 103.1. Delete, Department of Property Maintenance Inspection and replace with Building Department**

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**Section 103.2. Delete, Section in its entirety**

**Section 103.3. Delete, Section in its entirety**

**Section 111.1. Delete, Board of Appeals and replace with Building Board of Appeals  
Section 111.2.**

**111.6.2. Delete, Sections in their entirety**

**Section 201.3. Delete, International Zoning Code and replace with Township Zoning Code**

**Section 302.4. Insert, nine (9) inches for residential lots, and twelve (12) inches for all other property.**

**Section 304.14. Insert, March 21 and October 30**

**Section 602.3. Insert, September 21 and May 31**

**Section 602.4. Insert, September 21 and May 31**

**Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Township of Macomb hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.**

**Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to effect an suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.**

**Section 6. SEVERABILITY**

**If any section, paragraph, clause or provision of this Ordinance is for any reason held invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this Ordinance.**

**Section 7. PUBLICATION**



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**A true copy of this Ordinance or summary thereof shall be published in the Macomb Daily, a newspaper of general circulation in the Township of Macomb within fifteen (15) days after its adoption.**

**Section 8.     EFFECTIVE DATE**

**This Ordinance shall take effect thirty (30) days after publication.**

**Section 9.     CERTIFICATION**

**I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Macomb Township, Macomb County, Michigan at a meeting held on the 13th day of October, 2004, by the following vote of the members thereof:**

**YES:           MEMBERS: Janet Dunn, Roger Krzeminski, Dino F. Bucci Jr., Charles Oliver, Marie Malburg, Michael D. Koehs, John D. Brennan.**

**NAYS:         MEMBERS: None**

**ABSENT:       MEMBERS: None**

**This Ordinance was published in the Macomb Daily Newspaper as required by law in its edition for Saturday, October 23, 2004.**

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**Michael D. Koehs, CMC  
The Township of Macomb Clerk**

**INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE  
ADOPTED.**

16.     Unison Site Management, L.L.C.; Offer to purchase telecommunication (Cellular Tower) Lease. Property Address: 19927 23 Mile Road.

Larry Dloski, Township Attorney, reviewed the proposal submitted by Unison and recommended not to proceed with proposal.

Public Portion: None

**MOTION by DUNN seconded by BUCCI to follow Larry Dloski, Township Attorney's recommendation and not accept this proposal submitted by Unison Site**

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**Management offering to purchase a telecommunication (Cellular Tower) Lease.  
Property Address: 19927 23 Mile Road, Macomb, MI.**

**MOTION carried.**

17. Adopt Resolution for the Riverwoods Parade Committee

Clerk KOEHS reviewed the item and recommended to adopt the resolution.

Public Portion: None

**MOTION by OLIVER seconded by KOEHS to Adopt the Resolution for the  
Riverwoods Parade Committee as follows:**

**Township of Macomb  
County of Macomb  
State of Michigan**

**Resolution of the Board of Trustees**

**At a regular meeting of the Macomb Township Board of Trustees that was called to  
order by the Supervisor John. D. Brennan on Wednesday, October 13, 2004 at 7:00  
p.m., the following resolution was offered:**

**Whereas, the Riverwoods Parade Committee is a group of Macomb Township  
residents formed to stage a local community parade; and**

**Whereas, the Riverwoods Parade Committee is planning a local neighborhood  
parade for Saturday, November 27, 2004; and**

**Whereas, the Riverwoods Parade Committee is working with the Road  
Commission of Macomb County and the Macomb County Sheriff  
Department to establish a safe and secure parade route; and**

**Whereas, the Riverwoods Parade Committee has designated that any proceeds  
Raised from this event will benefit the families of our military service  
personnel at Selfridge Air Base through the financial Readiness  
Program; and**

**Whereas, community support activities for our military service personnel are  
both praiseworthy and patriotic,**

**Now therefore be it resolved, that the Board of Trustees of Macomb Township,  
Macomb County, Michigan hereby supports the Riverwoods Parade Committee and**

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**endorses their commitment to supporting our military service personnel and their families; and**

**Be it further resolved that the Board of Trustees of Macomb Township hereby proclaims Saturday, November 27, 2004 as “Riverwoods Parade Day” in Macomb Township.**

**Motion by Charles Oliver, seconded by Michael D. Koehs, that the resolution be adopted.**

**FOR THIS MOTION: OLIVER, KOEHS, MALBURG, BUCCI, KRZEMINSKI, DUNN, BRENNAN.**

**OPPOSED: NONE**

**ABSENT: NONE**

**RESOLUTION DECLARED ADOPTED.**

18. Discuss Planning Commission Recommendation to Review Zoning Ordinance Section 10.0344; Regarding Alternative Wall Forms. Jeffrey Fry, representative of ARCH-CRETE.

Clerk KOEHS reviewed the item.

Public Portion: None

**MOTION by KOEHS seconded by KRZEMINSKI to authorize the Township Planning Consultants to look into the appropriate language for amending the Township Zoning Ordinance specifically pertaining Section 10.0344; regarding alternative wall forms.**

**MOTION carried.**

19. SBC Application for Right-of-Way Telecommunications Permit

Larry Dloski, Township Attorney, reviewed the request and recommended approval.

Public Portion: None

**MOTION by OLIVER seconded by BUCCI to grant a Right-of-Way Telecommunication Permit to Michigan Bell Telephone Company d/b/a/ SBA Michigan conditioned upon the following modifications to the proposed permit:**

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1. **Section 4.6 indicating no new construction will occur and no new construction is authorized by the permit.**
2. **A posting of a performance bond in the amount of \$50,000.00**
3. **Section 7.1 indicating the permit be for a term of two years (rather than a term of 5 years)**

**MOTION carried.**

**HUMAN RESOURCE DEPARTMENT:**

20. Request Approval to provide 2004 Flu Shot/Wellness Program for Township Employees

*This item was deleted from the agenda*

21. Request to Initiate Recruitment Process; Water & Sewer Department Inspector

John Brogowicz, Human Resource Director, reviewed the item.

Public Portion: None

**MOTION by DUNN seconded by MALBURG to initiate the recruitment process for the Water & Sewer Department Inspector Position and assuming that the position is filled by a Water & Sewer Utility Worker, also proceed with the recruitment process for this position.**

**MOTION carried.**

22. Request for Approval to Hire Maintenance Worker

John Brogowicz, Human Resource Director, reviewed the item.

Public Portion: William Franchy, Township resident stated, "If you have someone you can hire that wants to work, comes to work and does the work you better hire him quick."

**MOTION by KOEHS seconded by MALBURG to approve the request to Hire Arnold Lothery, Jr., for the Maintenance Worker position conditioned on successful background history check and required testing. Effective Date: November 1, 2004**

**MOTION carried.**

**INFORMATION TECHNOLOGY DEPARTMENT:**

23. Request to Approve Purchase Requisitions:

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- A. Data Communication Hardware; Township Fire Stations I & II.
- B. SmartOnline Expandable Rack/Tower UPS Systems
- C. SNMP/WEB CARD; Internal SNMP/WEB Management Accessory Cards.

Jim Koss, Water & Sewer Department Superintendent, reviewed the items.

Public Portion: None

**MOTION by KOEHS seconded by MALBURG to approve the purchase requisition request for Data Communication Hardware; Township Fire Stations I & II through Electrosonics for the total cost of Four Thousand Five Hundred Fifty Five dollars and 12/100 (\$4,555.12) as submitted.**

**MOTION carried.**

**MOTION by KOEHS seconded by OLIVER to approve the purchase requisition request for SmartOnline Expandable Rack/Tower UPS Systems through Computer Builders Warehouse for the total One Thousand Two Hundred Twenty Two dollars and 00/100 (\$1,222.00) as submitted.**

**MOTION carried.**

**MOTION by KOEHS seconded by OLIVER to approve the purchase requisition request for SNMP/WEB CARD; Internal SNMP/WEB Management Accessory Cards through Computer Builders Warehouse for the total Four Hundred Ten dollars and 00/100 (\$410.00) as submitted.**

**MOTION carried.**

**PARKS & RECREATION DEPARTMENT:**

24. Request to Initiate Amendment Process for the Park & Recreation Ordinance

Supervisor BRENNAN reviewed the item.

Public Portion: None

**MOTION by KOEHS seconded KRZEMINSKI to initiate the ordinance amendment process to draft language to prohibit any activities, political and / or religious in nature, at Township Park & Recreation facilities and public parks.**

**MOTION carried.**

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**MOTION by KOEHS seconded by BUCCI to authorize the Township Attorney to proceed to draft the policy language prohibiting any activities, political and / or religious in nature, at Township facilities and public lands.**

**MOTION carried.**

**WATER & SEWER DEPARTMENT:**

25. Request to Approve Pay Certificate No. 2; (final), 25 Mile Road Sanitary Sewer, MA02-023, T.R Pieprzak Company Inc.

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

Public Portion: None

**MOTION by DUNN seconded by OLIVER to approve the Request to Approve Pay Certificate No. 2; (final), 25 Mile Road Sanitary Sewer, MA02-023, T.R Pieprzak Company Inc. for the total cost of Eight Thousand One Hundred Ten dollars and 50/100 (\$8,110.50) as submitted.**

**MOTION carried.**

26. Request to Approve Dedication of Sanitary Sewer Easement; Township property on Marseilles Road property.

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

Public Portion: None

**MOTION by OLIVER seconded by BUCCI to approve Dedication of Sanitary Sewer Easement; Township property on Marseilles Road property. Section 21 MA04-015**

**MOTION carried.**

27. Request to Approve Dedication of Right-of-Way; Quit Claim Deed; 25 Mile Road property, Fire Station No. 4 Permanent Parcel No. 08-08-101-042

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

Public Portion: None

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**MOTION by KOEHS seconded by MALBURG to approve the Dedication of Right-of-Way; Quit Claim Deed; 25 Mile Road property, Fire Station No. 4 Permanent Parcel No. 08-08-101-042.**

**MOTION carried.**

28. Request to Approve Dedication of Right-of-Way; Quit Claim Deed; North Avenue property, Fire Station No. 3. Permanent Parcel No. 08-26-426-008

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

Public Portion: None

**MOTION by DUNN seconded by KOEHS to Dedication of Right-of-Way; Quit Claim Deed; North Avenue property, Fire Station No. 3 Permanent Parcel No. 08-26-426-008.**

**MOTION carried.**

29. Request Approval of Lombardo Companies Request for the Township to pursue an easement condemnation

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

Public Portion: None

**MOTION by OLIVER seconded by MALBURG to approve the Lombardo Companies Request for the Township to pursue an easement condemnation; 24 Mile Road Sanitary Sewer Extension; Located west of Broughton Road between 24 and 25 Mile Roads.**

**MOTION carried.**

30. Request to Approve Purchase Requisitions:
- A. Nu-Way Supply
  - B. National Waterworks
  - C. Tyler Technologies Inc.
  - D. East Jordan Iron Works
  - E. SLC Meter Service Inc.

David Koss, Water & Sewer Department Superintendent, reviewed the item and recommended approval.

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Public Portion: None

**MOTION by KRZEMINSKI seconded by BUCCI to approve the purchase requisition request through Nu-Way Supply for the total cost of One Thousand One Hundred Twenty Six dollars and 00/100 (\$1,126.00) as submitted. (Customer Service)**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by MALBURG to approve the purchase requisition request through National Waterworks for the total cost of Four Thousand Four Hundred Fifty dollars and 00/100 (\$4,450.00) as submitted. (Customer Installation)**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by KOEHS to approve the purchase requisition request Tyler Technologies Inc. for the total cost of Three Thousand Five Hundred dollars and 00/100 (\$3,500.00) as submitted. (Customer Records Billing)**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by OLIVER to approve the purchase requisition request East Jordan Iron Works for the total cost of Two Thousand One Hundred Sixty Seven dollars and 82/100 (\$2,167.82) as submitted. (Hydrant Maintenance)**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by DUNN to approve the purchase requisition request SLC Meter Service Inc. for the total cost of Two Thousand Four Hundred Forty Five dollars and 38/100 (\$2,445.38) as submitted. (Meters/Customer Installation)**

**MOTION carried.**

**BOARD COMMENTS:**

31. Supervisor Comments:
  - A. Review of Hunting in the Township

Supervisor BRENNAN and Larry Dloski, Township Attorney reviewed the item.



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Public Portion: Several Township residents addressed their concerns regarding Township hunting areas.

**MOTION by DUNN seconded by MALBURG to adopt a resolution to initiate the process of notification of the DNR and the approval process to ban hunting in the areas described. (Between Hayes and Luchtman Road north of 23 Mile Road and everything south of 23 Mile Road), based on the health, safety and welfare of Macomb Township.**

**FOR THIS MOTION: DUNN, MALBURG, KRZEMINSKI, OLIVER, BUCCI, KOEHS, BRENNAN.**

**OPPOSED: NONE**

**ABSENT: NONE**

**WHEREAS, the Township of Macomb has received complaints from residents regarding the discharge of firearms within 450 feet of residential dwellings; and**

**WHEREAS, a resident has complained of being struck in the arm by pellets from the discharge of a shotgun.**

**WHEREAS, Macomb Township has experienced rapid residential growth during the last ten (10) year; and**

**WHEREAS, the Macomb Township Board of Trustees has determined that the safety and well being of Township residents and property are endangered by hunters or discharge of firearms; and**

**WHEREAS, due to the endangerment by hunters of the safety and well being of Township residents and property the Township Board of Trustees recommends the closure of sections \_\_\_\_\_ of the Township to relieve the threat hunters or discharge of firearms presents to the safety and well being of Township residents and property;**

**NOW, THEREFORE, the Macomb Township Board of Trustees requests the Department of Natural Resources expedite the establishment of a date for a public hearing in the Township regarding the sections of the Township which the Board of Trustees recommends be permanently closed to hunting or the discharge of firearms.**

**RESOLUTION DECLARED ADOPTED.**

32. Clerk Comments:

Clerk KOEHS reviewed his request to purchase additional election transfer cases.

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Public Portion: None

**MOTION by KRZEMINSKI seconded by OLIVER to authorize the Township Clerk to proceed with purchasing additional election transfer cases through Intab Inc. for the total cost not to exceed Two Thousand dollars and 00/100 (\$2,000.00).  
MOTION carried.**

33. Treasurer Comments: None

34. Trustees Comments:

Trustee DUNN informed the Board and audience of the book sale going on at the Clinton Macomb Library and wished Mr. James Van Tiflin a Happy Birthday.

**EXECUTIVE SESSION:**

**MOTION by KOEHS seconded by OLIVER to adjourn into Executive Session at 8:37 p.m.**

**MOTION carried.** The Board reconvened at 10:08 p.m.

35. Suburban Sports Group vs. Township of Macomb

**MOTION by KOEHS seconded by OLIVER to authorize Larry Dloski, Township Attorney to sign the consent judgment as amended; Suburban Sports Group vs. Township of Macomb.**

**FOR THIS MOTION: KOEHS, OLIVER, BUCCI, KRZEMINSKI, DUNN, MALBURG, BRENNAN**

**OPPOSED: NONE**

**ABSENT: NONE**

**MOTION carried.**

36. Ronald Carion, et al v Township of Macomb

**MOTION by KOEHS seconded by DUNN to authorize acceptance of the settlement of the case evaluation; Ronald Carion, et al v Township of Macomb.**

**FOR THIS MOTION: KOEHS, DUNN, KRZEMINSKI, MALBURG, BUCCI, OLIVER, BRENNAN**

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY, OCTOBER 13, 2004  
AT 7:00 P.M.

**OPPOSED: NONE**

**ABSENT: NONE**

**MOTION carried.**

37. M-59 Fairchild v Township of Macomb

Bob Kirk, petitioners representative requested that the item be tabled for two weeks.

**MOTION by OLIVER seconded by BUCCI to table the item for two weeks**

**MOTION carried.**

**ADJOURNMENT:**

**MOTION by KOEHS seconded by BUCCI to adjourn the meeting at 10:10 p.m.**

**MOTION carried.**

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk  
MDK/gmb